Remarks

Applicant respectfully requests reconsideration of this application as amended. Claims
1, 2, 11, 12, 18, 19, 29, 30, and 34-38 have been amended. No claims have been cancelled or
added. Claims 23-25 were previously cancelled. Therefore, claims 1-22 and 26-38 are
presented for examination.

35 U.S.C. §103(a) Rejection

Claims 1-6, 8, 11-22, 26, 27, 29-32, 34 and 36-38 stand rejected under 35 U.S.C.
§103(a) as being unpatentable over Horvitz et al. (U.S. Pub No. 2003/0046421) in view of Cote
et al. (U.S. Patent No. 6,021,262). Applicant submits that the present claims are patentable
over Horvitz in view of Cote.

Briefly, Horvitz discloses a system that provides controls and displays for acquiring
user preferences, inspecting behavior, and guiding learning and decision policies of an adaptive
communications prioritization and routing system. (Horvitz at paragraph [0007].) Cote
discloses a technique wherein a deficiency detected in an application system, e.g., a messaging
system, that is implemented on a distributed computing system is automatically brought to the
attention of an administrator in a notification process. (Cote at col. 1, ln. 66-col. 2, ln. 12.)

Claim 1 recites:

A method, comprising:
    receiving information of an event at a digital assistant having an event
detector and an agent selector;
    determining, by the event detector, a level of importance of the event
relative to a user of the digital assistant;
    accessing, by the digital assistant, a communications service provider
such that the agent selector is able to attempt to contact at least one
person;
    if the level of importance of the event is determined by the digital
assistant to be greater than or equal to a first predetermined threshold and

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below or equal to a second predetermined threshold, then selecting and attempting to contact one person by the agent selector; and

if the level of importance of the event is determined by the digital assistant to be greater than or equal to the second predetermined threshold, then selecting and attempting to contact a plurality of persons by the agent selector;

wherein the agent selector selects the one person and the plurality of persons to contact based on both of profile information and rules provided by the user, the profile information including the user's personal preferences for particular services and communication products, and the rules including limits on carrying out particular functions for the user.

First, applicant submits that Horvitz in view of Cote does not disclose or suggest a digital assistant having an event detector and an agent selector, as recited by claim 1. Applicant can find no disclosure or suggestion of such structural features anywhere in either of Horvitz or Cote.

Second, applicant submits that Horvitz does not disclose or suggest an agent selector selects the one person and the plurality of persons to contact based on both of profile information and rules provided by the user, the profile information including the user's personal preferences for particular services and communication products, and the rules including limits on carrying out particular functions for the user. With respect to Horvitz, the Final Office Action acknowledges that "Horvitz does not explicitly disclose...the agent selector selects the one person and the plurality of persons to contact based on at least one of profile information and rules provided by a user of the digital assistant." (Final Office Action mailed 11/13/06 at pgs. 5-6.) However, the Office Action does rely on Cote as disclosing this feature. (Id.)

Applicant further submits that Cote does not disclose or suggest an agent selector selects the one person and the plurality of persons to contact based on both of profile information and rules provided by the user, the profile information including the user's

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personal preferences for particular services and communication products, and the rules including limits on carrying out particular functions for the user. The Final Office Action cites Cote at column 7, lines 29-31 as disclosing the cited feature of claim 1. (Id. at pg. 3.) These cited portions of Cote discuss "service-hours procedure [that] allow the administrator to specify, in the settings, the periods of time during which a notification action is permitted to execute." However, this is not the same as rules *provided by the user*. Cote clearly discloses that the rules are specified by an administrator of a system, and not a specific user of a device. As such, Cote does not disclose or suggest the cited feature of claim 1.

As neither of Horvitz nor Cote disclose or suggest the cited features of claim 1, any combination of Horvitz and Cote also does not disclose or suggest such a feature. Therefore, claim 1, as well as its dependent claims, is patentable over Horvitz in view of Cote.

Independent claims 11, 18, 29, 34, and 36, also recite, in part, a digital assistant having an event detector and an agent selector and an agent selector selects the one person and the plurality of persons to contact based on both of profile information and rules provided by the user, the profile information including the user's personal preferences for particular services and communication products, and the rules including limits on carrying out particular functions for the user. As discussed above, Horvitz in view of Cote does not disclose or suggest such a feature. Therefore, claims 11, 18, 29, 34, and 36, as well as their respective dependent claims, are patentable over Horvitz in view of Cote.

Claims 7, 9, 10, 28, 33 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horvitz et al. and Cote et al., as applied to claims 1, 18, 29, and 34, and further in view of what was well known in the art. Claims, 7, 9, 10, 28, 33, and 35 variously

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depend from independent claims 1, 18, 29, and 34. Applicant has previously asserted claims 1, 18, 29, and 34 are patentably distinguished over Horvitz in view of Cote. What is well known in the art does not remedy the defects of Horvitz in view of Cote in light of claims 1, 18, 29, and 34. Therefore, claims 7, 9, 10, 28, 33, and 35 are patentable over Horvitz and Cote, even in view of what is well known in the art.

Claims 1, 11 and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sweeney et al. (U.S. Pub. No. 2002/0083168), in view of Carleton (U.S. Pub. No. 2001/0044840). Applicant submits that the present claims are patentable over Sweeney in view of Carleton.

Briefly, Sweeney discloses a method for monitoring events generated on a computer system. (Sweeney at paragraphs [0007] – [0011].) Carleton discloses a system for real-time monitoring and surveillance of a computer network according to a set of business rules that describe system and device operational requirements. (Carleton at Abstract.)

First, applicant submits that Sweeney in view of Carleton does not disclose or suggest a digital assistant having an event detector and an agent selector, as recited by claim 1. Applicant can find no disclosure or suggestion of such structural features anywhere in either of Sweeney or Carleton.

Second, applicant submits that Sweeney does not disclose or suggest an agent selector selects the one person and the plurality of persons to contact based on both of profile information and rules provided by the user, the profile information including the user's personal preferences for particular services and communication products, and the rules including limits on carrying out particular functions for the user, as recited by claim 1. The

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Office Action acknowledges this when stating that "Sweeney does not explicitly disclose...the agent selector selects the one person and the plurality of persons to contact based on at least one of profile information and rules provided by a user of the digital assistant." (Final Office Action mailed at pgs. 7-8.) However, the Office Action does rely on Carleton as disclosing this feature. (Id.)

Applicant further submits that Carleton also does not disclose or suggest <u>an agent selector selects the one person and the plurality of persons to contact based on both of profile information and rules provided by the user, the profile information including the user's personal preferences for particular services and communication products, and the rules including limits on carrying out particular functions for the user</u>. The Final Office Action cites Carleton at paragraphs [0065] and [0067] as disclosing the cited feature of claim 1. (Id. at pg. 3.) This cited portion of Carleton discusses an administrator defining "[t]imes and days of the week when each business rule applies" and "[n]otification methods for notifying each person". However, this is not the same as rules *provided by the user*. Carleton clearly discloses that the rules are specified by an administrator of a system, and not a specific user of a device. As such, Carleton does not disclose or suggest the cited feature of claim 1.

As neither of Sweeney nor Carleton disclose or suggest the cited features of claim 1, any combination of Sweeney and Carleton also does not disclose or suggest such a feature. Therefore, claim 1, as well as its dependent claims, is patentable over Sweeney in view of Carleton.

Independent claims 11 and 34 also recite, in part, <u>a digital assistant having an event detector and an agent selector</u> and <u>an agent selector selects the one person and the plurality of persons to contact based on both of profile information and rules provided by the user, the</u>

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<u>profile information including the user's personal preferences for particular services and</u>

<u>communication products, and the rules including limits on carrying out particular functions for</u>

<u>the user.</u> As discussed above, Sweeney in view of Carleton does not disclose or suggest such a

feature. Therefore, claims 11 and 34, as well as their respective dependent claims, are

patentable over Sweeney in view of Carleton.

Applicant respectfully submits that the rejections have been overcome and that the

claims are in condition for allowance. Accordingly, applicant respectfully requests the

rejections be withdrawn and the claims be allowed.

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The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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Date: January 4, 2007

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